



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 28706**", the original copy of which is attached hereto, was passed for publication of title on the **15th day of September, 2009**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **29th day of September, 2009**, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA, LICCARDO,
NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: CHIRCO.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **October 30, 2009**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **30th day of September, 2009**

(SEAL)

LEE PRICE, MMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 28706

AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING CERTAIN REAL PROPERTY SITUATED AT THE NORTHWEST CORNER OF NORTH 6TH STREET AND JACKSON STREET (601 – 621 NORTH 6TH STREET) FROM LI LIGHT INDUSTRIAL TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, the area encompassed by the subject proposed rezoning was the subject of an Environmental Impact Report (EIR) prepared in conformance with the California Environmental Quality Act of 1970 (CEQA), as amended, and certified by the City Council on August 16, 1994; and

WHEREAS, this Council of the City of San José, acting as lead agency under CEQA, proposes to approve a project which was the subject of said EIR, to wit: the adoption of an ordinance rezoning certain real property hereinafter described to CP Commercial Pedestrian Zoning District; and

WHEREAS, the City Council has, on August 16, 1994, adopted Resolution No. 65459; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning from the LI Light Industrial Zoning District to the CP Commercial Pedestrian Zoning District; and

WHEREAS, this Council does hereby certify that, as the decision-making body, it has considered, approves and adopts the information contained in such EIR and Resolution No. 65459 prior to acting upon or approving such project.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as CP Commercial Pedestrian Zoning District.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 2. The district map of the City is hereby amended accordingly.

SECTION 3. The land development approval that is the subject of City File No. C09-024 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this 15th day of September, 2009 by the following vote:

AYES: CAMPOS, CHIRCO, CHU, HERRERA, KALRA,
LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

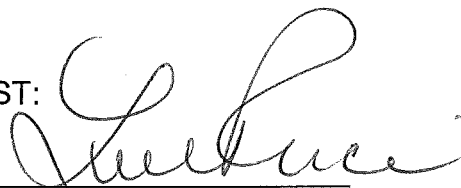
ABSENT: CONSTANT.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk

EXHIBIT "A"

All that certain real property located in the City of San Jose, County of Santa Clara, State of California, and more particularly described as follows: to-wit:

BEGINNING at the point of intersection of the Northerly line of Jackson Street with the Westerly line of Sixth Street; thence running Northerly and along said Westerly line of Sixth Street, ninety-five (95) feet thence Westerly and parallel with said line of Jackson Street 35.75 feet to the Easterly line of that certain parcel of land conveyed by A. E. Lennon to Shiro Akizuki by Deed dated October 18, 1928, and recorded October 18, 1928 in Book 433 of Official Records, page 53, Santa Clara County Records; thence running at right angles Southerly and along the Easterly line of lands so conveyed to Shiro Akizuki, ninety-five (95) feet to a point on the Northerly line of Jackson Street; thence running at right angles Easterly and along said Northerly line of Jackson Street, thirty-five and 75/100 (35.75) feet to the point of beginning, being a part of Lot 199 in Block 19 of White's Addition to the City of San Jose.

Assessor's Parcel No. 249-39-024

Commonly known as 605 North Sixth Street, San Jose

EXHIBIT A

An undivided one-half ($\frac{1}{2}$) interest in real property located in the City of San Jose, County of Santa Clara, State of California, described as follows:

ALL THAT CERTAIN real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of Lot 199 in Block 19 of White's Addition to the City of San Jose, filed in Book "A" of Maps at Page 72, Santa Clara County Records, and being a portion of that certain 0.102 acre parcel as shown on the Record of Survey filed on December 28, 1984 in Book 537 of Maps at Page 42, Santa Clara County Records, more particularly described as follows:

BEGINNING at a lead plug tagged L.S. 3242, marking a point in the northwesterly line of East Jackson Street distant thereon S. $59^{\circ} 22' 11''$ W., 35.75 feet from a $\frac{1}{2}$ " iron pipe tagged L.S. 3242, marking the intersection of said northwesterly line with the southwesterly line of North Sixth Street, said lead plug being common with the most easterly corner of that certain parcel of land conveyed by A. E. Lennon to Shiro Akizuki by deed dated October 18, 1928, and recorded October 18, 1928 in Book 433 of Official Records at Page 53, Santa Clara County Records;

thence southwesterly along said northwesterly line, S. $59^{\circ} 22' 11''$ W., 44.425 feet to a lead plug tagged L.S. 3242;

thence northwesterly leaving said northwesterly line of East Jackson Street, N. $30^{\circ} 37' 46''$ W., 100.00 feet to a nail and tag No. L.S. 3242 marking a point in the northwesterly line of said lands deeded to Akizuki;

thence northeasterly along said northwesterly line N. $59^{\circ} 22' 11''$ E., 16.21 feet;

thence southeasterly leaving said northwesterly line, S. $30^{\circ} 38' 23''$ E., 5.00 feet;

thence N. $59^{\circ} 22' 11''$ E., 7.50 feet;

thence S. $30^{\circ} 38' 23''$ E., 4.97 feet;

thence N. $59^{\circ} 22' 11''$ E., 20.50 feet to a point in the northeasterly line of said lands deeded to Akizuki;

thence southeasterly along said northeasterly line S. $30^{\circ} 38' 23''$ E., 90.03 feet to the POINT OF BEGINNING;

containing 0.096 acres, more or less.

Assessor's Parcel No. 249-39-041

Commonly known as 231 Jackson Street, San Jose

Exhibit A
28706

RECORDING REQUESTED BY

Wright Kawakami

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW MAIL TAX STATEMENTS TO:

Name M/M Wright Kawakami
Address 1225 Cameo Drive
Campbell, CA 95008

CITY
STATE
ZIP

Title Order No. _____ Easement No. _____

REC FEE	3
RMF	1
MICAD	
LIFN HOT	
SWPF	10
POOR	

8724913

FILED FOR RECORD
AT REQUEST OF

Kawakami

MAR 20 9 10 AM '86

OFFICE
SANTA CLARA COUNTY
LAND RECORDS

1634 PAGE 2137

This space for Recorder's Seal

GRANT DEED

**NO CONSIDERATION PAID. NO TAX DUE.
GRANTOR(S) DECLARE(S) DOCUMENTARY TRANSFER TAX IS \$ -0-
☐ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

WRIGHT KAWAKAMI

herby GRANT(S) to

WRIGHT KAWAKAMI and GRACE KAWAKAMI, Trustees under that certain Trust Agreement dated November 14, 1985, wherein WRIGHT KAWAKAMI and GRACE KAWAKAMI are Trustors and Trustees.

the following described real property in the City of San Jose,
County of Santa Clara, State of California:

Commencing at the Southwesterly corner of Lot 199, Block 19, of White's Addition to said San Jose, as per Map filed and of record in the office of the County Recorder of said County, in Book "A" of Maps, pages 72 and 73; running thence Northerly along the Westerly line of said Lot 137.903 feet more or less, to the Northwestern corner thereof; thence Easterly along the Northerly line of said Lot 57.7 feet to a point; thence Southerly and parallel with the Westerly line of said lot 137.903 feet more or less to the Southerly line of said lot; thence Westerly along the Southerly line of said lot to the point of beginning.

Dated 2/24/86

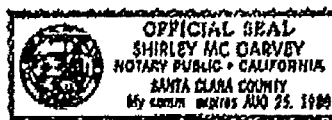
Wright Kawakami
WRIGHT KAWAKAMI

STATE OF CALIFORNIA
COUNTY OF Santa Clara 68.

On February 24, 1986 before me, the undersigned, a Notary Public in and for said State, personally appeared
WRIGHT KAWAKAMI,
proved to me on the basis of satisfactory evidence or
known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument and acknowledged that HE
is (are) the same. Witness my hand and official seal.

Signature

Shirley McCarvey



(Space above for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE.

Name

Street Address

City & State

Zip

EXHIBIT A

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, being a portion of Lot 199 in Block 19 of White's Addition to the City of San Jose, filed in Book 'A' of Maps at Page 72, Santa Clara County Records, and shown as all of that certain 0.074 acre parcel and a portion of that certain 0.102 acre parcel as both parcels are shown on the Record of Survey file on December 28, 1984 in Book 537 of Maps at Page 42, Santa Clara County Records, more particularly described as follows:

BEGINNING at a lead plug tagged L.S.3242, marking a point in the Southwesterly line of North Sixth Street, distant thereon N.30°37'46"W., 95.00 feet from a $\frac{1}{2}$ " iron pipe tagged L.S.3242, marking the intersection of said southwesterly line with the northwesterly line of East Jackson Street;

thence northwesterly along said southwesterly line N.30°37'46"W., 42.88 feet to a lead plug tagged L.S.3242, marking the corner common to said Lot 199 and Lot 200 of said Map of White's Addition to the City of San Jose, and as shown on said Record of Survey;

thence southwesterly leaving said southwesterly line along the line common to said Lots 199 and 200, S.59°22'34"W., 80.175 feet to a $\frac{1}{4}$ " iron pipe tagged L.S.3242;

thence southeasterly, leaving said common line S.30°37'46"E., 37.89 feet to a nail and tag No.L.S.3242, marking a point in the northwesterly line of that certain parcel of land conveyed by A.E.Lennon to Shiro Akizuki by deed dated October 18, 1928, and recorded October 18, 1928 in Book 433 of Official Records at Page 53, Santa Clara County Records;

thence northeasterly along said northwesterly line N.59°22'11"E., 16.21 feet;

thence southeasterly, leaving said northwesterly line S.30°38'23"E., 5.00 feet;

thence N.59°22'11"E., 7.50 feet;

thence S.30°38'23"E., 4.97 feet;

thence N.59°22'11"E., 20.50 feet to a point in the northeasterly line of said lands deeded to Akizuki;

thence northwesterly long said northeasterly line N.30°38'23"W., 4.97 feet to a $\frac{1}{4}$ " iron pipe tagged L.S.3242;

thence leaving said northeasterly line N.59°22'11"E., 35.77 feet to the POINT OF BEGINNING;

containing 0.079 acres, more or less.